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7
8 DIVISION OF MEDICAL QUALITY ASSURANCE
9 BEFORE THE BOARD OF MEDICAL QUALITY ASSURANCE
10 DEPARTMENT OF CONSUMER AFFAIRS
11 STATE OF CALIFORNIA
12
13

14 In the Matter of the Accusation

15 against

16 JOHN R. VAN BUREN, M.D.
Certificate No. G1353

17 Respondent.
18

No. D-1786

STIPULATION

19 IT IS HEREBY STIPULATED by and between the parties to
20 the above entitled matter that the following allegations are true:

21 1. An Accusation is presently pending against John R.
22 Van Buren, M.D., in the above entitled matter.

23 2. Respondent is fully aware of his right to a hearing
24 on the allegations contained in the aforesaid Accusation, his
25 right to reconsideration, appeal, and any and all other rights
26 accorded him pursuant to the California Administrative Procedure
27 Act, and does hereby waive his right to a hearing, reconsideration,
28 appeal, and any and all other rights accorded him pursuant to the
29 aforesaid Act in the subject matter No. D-1768.

30 3. On August 15, 1949, respondent was duly issued cer-
31 tificate number G1353 by the Board of Medical Examiners author-

1 izing respondent to practice medicine in the State of California.
2 There have been no previous disciplinary actions taken against
3 respondents license.

4 4. Respondent admits the alligations against him in
5 accusation No. D1786.

6 5. Respondent is 74 years old and suffers from osteo-
7 porosis and consequently is confined to his bed except for brief
8 periods each day and then he requires the aid of mechanical
9 devices to move around. However, he is not currently taking any
10 medications.

11 6. Respondent has for all practical purposes ceased
12 practicing medicine and has voluntarily surrendered his BNDD
13 registration and does herewith tender the surrender of his
14 certificate to practice medicine.

15 7. Respondent freely and voluntarily waives any and
16 all rights he may have to reinstatement, renewal, reconsideration
17 and any other rights in license No. G1353.

18 8. It is recommended the following order be adopted
19 by the Division of Medical Quality Assurance as its order in this
20 matter:

21 In as much as John R. Van Buren M.D. has voluntarily
22 surrendered his certificate to practice medicine in California
23 and his registration to dispense narcotics and dangerous drugs
24 and in consideration of his advanced age and physical state of
25 being his voluntary surrender of his license is accepted on this
26 date.

27 This acceptance of Dr. Van Buren's certificate consti-
28 tutes the Board's decision in this matter.

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30 //

31 //

1 Dated: 7-7-76 ^{M.D.} John R. Van Buren By JOHN R. VAN BUREN, M.D.
2 Respondent

3 Dated: 7-13-76 By Ralph M. Johnson
4 RALPH M. JOHNSON
5 Deputy Attorney General
6 Attorney for Complainant

7 This stipulation and proposed order is adopted as the
8 Board's decision in this matter effective immediately.

9
10 Dated: September 20, 1976 By Versia M. Metcalf
11 Versia M. Metcalf
12 Secretary-Treasurer
13 Division of Medical Quality
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8 BEFORE THE
9 DIVISION OF MEDICAL QUALITY
10 BOARD OF MEDICAL QUALITY ASSURANCE
11 DEPARTMENT OF CONSUMER AFFAIRS
12 STATE OF CALIFORNIA
13

14 In the Matter of the Accusation

15 against

16 JOHN R. VAN BUREN, M.D.
234 East M Street
17 Benicia, California

18 Certificate No. G 1353

19 Respondent.
20

No. D-1786

ACCUSATION

21 COMES NOW Raymond Reid and for cause of action alleges:

22 1. He is the executive secretary of the Board of
23 Medical Quality Assurance and brings this action in his official
24 capacity.

25 2. Respondent was duly issued physician's and surgeon's
26 certificate No. G 1353 on August 15, 1949. Said certificate was
27 and is in full force and effect at all times mentioned herein.

28 Notice is hereby given that a request for official
29 notice will be requested of all the allegations set forth in para-
30 graphs 1 and 2 inclusive at the hearing on this accusation.

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1.

1 FIRST CAUSE OF ACTION

2 3. Respondent is guilty of unprofessional conduct in
3 that he has violated Business and Professions Code, hereinafter
4 called the code, section 2399.5 in that:

5 (a) On or about September 11, 1974, respondent
6 did prescribe the dangerous drug Nembutal for
7 Jerry Hummel known to respondent as Rick
8 W■■■■, without a prior examination or medical
9 indication therefor.

10 (b) On or about September 11, 1974, respondent did
11 prescribe the dangerous drug Nembutal for
12 Linda Heffren, known to respondent as Linda
13 W■■■■, without a prior examination or medical
14 indication therefor.

15 SECOND CAUSE OF ACTION

16 4. Respondent is guilty of unprofessional conduct in
17 that he has violated code section 2399.5 in that:

18 (a) On or about October 9, 1974, respondent did
19 prescribe the dangerous drug Nembutal for
20 Jerry Hummel known to respondent as Rick
21 W■■■■, without a prior examination or medi-
22 cal indication therefor.

23 (b) On or about October 9, 1974, respondent did
24 prescribe the dangerous drug Nembutal for
25 Linda Heffren, known to respondent as Linda
26 W■■■■, without a prior examination or medi-
27 cal indication therefor.

28 THIRD CAUSE OF ACTION


29 5. Respondent is guilty of unprofessional conduct in
30 that he has violated code section 2391.5 in that he has violated
31 Health and Safety Code section 11170 in that on or about the

below stated dates, respondent did prescribe the below stated controlled substances for himself:

| <u>Date</u> | <u>Controlled Substance</u> |
|----------------|-----------------------------|
| March 20, 1974 | Percodan |
| April 16, 1974 | Nembutal |
| April 27, 1974 | Nembutal |
| May 4, 1974 | Percodan |
| May 9, 1974 | Nembutal |
| June 7, 1974 | Nembutal |
| July 12, 1974 | Percodan |
| July 20, 1974 | Nembutal |
| August 5, 1974 | Nembutal |

WHEREFORE, it is prayed that a hearing be held and thereafter the Division of Medical Quality of the Board of Medical Quality Assurance issue its order revoking respondent's certificate or taking such other action deemed meet in the premises.

DATED: 5/5/76


RAYMOND REID, Executive Secretary
Board of Medical Quality Assurance
Complainant

RMJ:rr 28
4-16-76
01 SF 7528
AD 4394

APPROVED BY UNIT

THE BOARD OF MEDICAL QUALITY ASSURANCE

DATE

1976